

**IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

RANDALL GLARDON,)	Case No.: 3:19-cv-247
)	
Plaintiff,)	Judge Thomas Rose
)	
v.)	<u>ORDER OF DISMISSAL:</u>
)	<u>TERMINATION ENTRY</u>
)	
SPEEDWAY, LLC, <i>et al.</i> ,)	
)	
Defendants.)	

The Court having been advised by counsel for the parties that the above matter has been settled (*see* Doc. No. 31), IT IS ORDERED that this action is hereby DISMISSED, with prejudice as to the parties, provided that any of the parties may, upon good cause shown within 45 days, reopen the action if settlement is not consummated. Additionally, Defendants' Motion for Summary Judgment (Doc. No. 29) is DENIED, WITHOUT PREJUDICE TO REFILE, AS MOOT in light of this conditional dismissal.

The parties may submit a substitute Judgment Entry once settlement is consummated. Parties intending to preserve this Court's jurisdiction to enforce the settlement should be aware of *Kokkonen v. Guardian Life Ins. Co. of America*, 114 S.Ct. 1673 (1994), and incorporate appropriate language in any substituted judgment entry. Additionally, if the parties request that the Court retain jurisdiction to enforce any settlement agreement, then they must submit a copy of the settlement agreement to Chambers by email at rose_chambers@ohsd.uscourts.gov.

IT IS SO ORDERED.

Dated: October 18, 2021

s/Thomas M. Rose

Honorable Thomas M. Rose
United States District Judge